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EOG Disposal, Inc.

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April 21, 1995

Mr. Pat Brady
Wisconsin Department of
Natural Resources
4041 North Richards Street
P.O. Box 12436
Milwaukee, WI 53212

RE: Feasibility Report and Plan of Operation
Notice of Incompleteness Response for Design Related Issues
EOG Disposal, Inc. (EOG) 5611 West Hemlock Street, Milwaukee, WI
EPA ID#: WID988580056

Dear Mr. Brady,

Enclosed please find our subsequent response to your letter of incompleteness dated December 9, 1994 for EOG's September 1994 FRPO submittal. This response contains information regarding each of the design related issues of incompleteness and inadequacy.

As requested in your letter, EOG is submitting the following information as replacement pages and/or additional pages to the original document. All replacement pages and additional pages have been marked as such and include the date of this response submittal. This response has been prepared on a point by point basis from the December 9, 1994 Notice of Incompleteness letter for ease of review.

If you have any questions regarding this submittal, please contact me at (414) 353-1156.

Sincerely,
EOG Disposal, Inc.

Michael C. Vilione, President
VK Investments (Owner)

cc: Tom McElligott
Ed Lynch

Comment #12: EOG shall provide a clearer explanation of the drum auger operation at the site. This information shall, at a minimum, include: a plan sheet of the auger operation; whether both solid and hazardous waste will be processed in the auger; whether solids from the auger would be treated as a solid or a hazardous waste (Attachment 7, Section 2.2, Page 9); how solids will be transferred from the solids auger (whether the solids will be pumped); and the decision making process used to determine where the solids will be transferred.

EOG Response #12: EOG will operate a drum auger system for the purpose of removing hazardous waste from drums. The system will consist of a conveyor to move the drums to the elevated level of the auger, the auger itself for the removal of materials from the drums, a chute which will have a movable gate for directing the waste to either a lined roll-off below or a screw conveyor system which will move the waste to the blend tank for mixing into a solvent matrix for ultimate use as fuel. Waste conveyed to the roll-off will be designated for proper disposal. EOG intends to use this auger system for hazardous waste only.

The waste to be managed in this operation will be evaluated for its ability to be blended into a solvent matrix. Those wastes considered too difficult for handling in the blending operation will be conveyed directly into the roll-off. As the roll-off is filled, it will be re-positioned to evenly distribute the waste. Those wastes considered appropriate for the fuel blending operation will be fed from the auger system chute into a screw conveyor system to the blend tank.

A ventilation system will be provided for the entire operation to assure adequate fresh air, and explosive-free atmosphere, and treatment of the exhaust air coming from this process. To accomplish efficient ventilation and removal of objectionable vapors, the roll-off area will be enclosed. The entrances to this enclosure will be a roll-up door for roll-offs and a man door for personnel. The auger chute will be ducted to the explosion-proof, spark-free ventilation fan. Air will thus be drawn from the source at the auger and the roll-off. This air will be treated by carbon adsorption before being discharged to the atmosphere.

A non-sparking auger and appropriate grounding techniques will be used to eliminate any possible sparking from the operation.

Text has been revised in Attachment 7, Section 2.2, Page 9. Attachment 18 of this submittal contains the revised pages. A drum auger process diagram (Sheet 11 of 16) and drum auger area plan (Sheet 12 of 16) are included in Attachment 19.

Comment #14: EOG shall submit plan sheets showing site construction and operation topography. These plans should show how final construction will fit into the existing landscape. This should include cross sections, and construction specifications which show foundations of the facility structures. s. NR 680.05(1)(c)4.f., Wisconsin Administrative Code.

EOG Response #14: Plans have been prepared which show proposed site construction and operation topography, and how the proposed grading blends into the existing landscape. A detailed field utility and topographic survey of the site was

performed by GAS and used for plan preparation. Plan sheet 3 of 16, entitled Site Grading and Paving (Attachment 19), shows existing site conditions and proposed paving and grading. Construction specifications for site grading, paving, and utility installation are included in Attachment 20. The plans and cross-sections of facility structures are shown on design drawings A1 (Sheet 6 of 16), S1 (Sheet 7 of 16), and S2 (Sheet 8 of 16) in Attachment 19.

Comment #53: EOG shall provide further information on the facility layout including building and structures foundation, sizing of receiving areas, sizing of major processes and processing equipment. ss. NR 640.06(1)(a)12., and NR 645.06(1)(a)12., Wisconsin Administrative Code.

EOG Response #53: Details of the building and structures foundations are in design drawings S1 (Sheet 7 of 16) and S2 (Sheet 8 of 16) in Attachment 19. Sizing of major processes and processing equipment are included in Drawing A1 (Sheet 6 of 16), Attachment 19.

Comment #55: EOG shall explain what provisions will be taken during the construction of the facility to ensure protection of groundwater and surface waters. ss NR 640.06(1)(a)15., and NR 645.06(1)(a)15., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code refer to the feasibility and plan of operation report. The specific items referenced are to be included in a narrative intended for determination of whether the site has potential for use as a hazardous waste storage or treatment facility and to identify and address any operating conditions which are necessary for the proper operation of the facility.

EOG Response #55: Provisions for protection of groundwater and surface waters during construction of the facility include the installation of erosion control measures within and around the site prior to land disturbance. Specifically, geotextile silt fencing will be installed around the site prior to excavation to intercept silt-laden stormwater runoff prior to entering the nearby water course and, ultimately, Lincoln Creek. Filter fabric will also be placed within existing storm sewer inlets on and near the site, and in new inlets as they are installed. An erosion control plan for construction is shown in Attachment 19, Sheet 1 of 16. Erosion control details are shown in Attachment 19, Sheet 5 of 16. Technical specification Section 01565, Erosion and Sediment Control, is included in Attachment 20, and describes the installation, maintenance, and removal of erosion control features.

No special measures are anticipated for protection of groundwater beyond those provided for surface waters, as there is presently no hazardous or contaminated material on-site which could reach groundwater, and none are expected to be produced as a result of construction activities.

Comment #58: Runoff control systems and storm, sanitary, and process sewerage systems are not presented on the site conditions map in attachment 15, sheet 3 of 18, as listed in the location comments. EOG shall provide a description of runoff control for the site and a description of the sanitary and storm sewers on the site. EOG provides the existing storm sewers in attachment 15, sheet 2 of 18, but EOG should also provide any

proposed storm sewer changes. EOG shall also present the drainage patterns for the site. ss. NR 640.06(1)(c)10., and NR 645.06(1)(c)as., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code are generally part of the feasibility and plan of operation report, and specifically part of the requirement for an existing and proposed site conditions topographic map.

EOG Response #58: *Attachment 19 contains two plan sheets which show the existing and proposed topography and the existing and proposed storm sewer and sanitary sewer systems. Sheet 2 of 16, entitled Site Demolition and Utilities, shows the proposed storm sewer and sanitary sewer system for the site. Sheet 3 of 16, entitled Site Grading and Paving shows the existing and proposed contours which define the drainage pattern for the site.*

All paved areas within the site will be sloped to drain toward sump catchbasins within the site. There will be no runoff from paved areas that will not be captured by the storm sewer system. The final storm sewer system manhole will have a remotely controlled, electrically operated shut-off valve which can be closed to prevent the discharge of water within the storm sewer from the site. Storm sewers shall be reinforced concrete pipe with gasketed joints.

A sanitary sewer lateral from the Lab Pack Building to the City's sanitary sewer in Hemlock Street will be installed to service bathroom facilities.

Comment #59: The site conditions map in attachment 15, sheet 3 of 18, does not show any barriers for drainage. EOG shall provide a site conditions map that shows any barriers to drainage on the site. ss. NR 640.06(1)(c)11 and NR 645.06(1)(c)13, Wisconsin Administrative Code.

EOG Response #59: *There will be no barriers to drainage upon final grading and site construction. Positive drainage away from the site will be maintained for unpaved areas. All paved areas will be sloped to drain towards sump catchbasins within the site. There will be no runoff from paved areas that will not be captured by the storm sewer system. Refer to Sheet 2 of 16, entitled Site Demolition and Utilities, and Sheet 3 of 16, entitled Site Grading and Paving in Attachment 19.*

Comment #60: EOG shall provide more detailed construction drawings for the whole site. I would like specifications on the following items:

- a. the container auger
- b. drum emptying under a nitrogen blanket
- c. the containment areas and the process / storage building (specifically the areas around the doorways)
- d. the blending tank and associated equipment
- e. tank foundations
- f. tank design specifications
- g. the associated piping at the site and the pipe joints.

ss. NR 640.06(1)(d) and NR 645.06(1)(d), Wisconsin Administrative Code.

EOG Response #60: For (a), refer to Attachment 19, Sheet 13 of 16.
For (b), refer to Attachment 19, Sheet 11 of 16 and Sheet 12 of 16.
For (c), refer to Attachment 19, design drawings A1 (Sheet 6 of 16), S1 (Sheet 7 of 16), and S2 (Sheet 8 of 16).
For (d), refer to Attachment 19, Sheet 14 of 16 and Sheet 15 of 16.
For (e), refer to Attachment 19, Sheet 8 of 16 and Sheet 9 of 16.
For (f), refer to Attachment 19, Sheet 9 of 16 and tank specifications in Attachment 20.
For (g), refer to Attachment 19, Sheet 10 of 16.

Comment #61: EOG shall provide an engineering plan that shows final site topography. EOG shall also show whether the final grade for the site will affect the proposed boundary fence, and if any fill will be added to build up the northeast corner of the site. ss. NR 640.06(1)(d)4., NR 640.06(1)(g)2., 645.06(1)(d)3., and NR 645.06(1)(g)2., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code discuss the need for a final site plan and the identification of grading, filling, or cleaning on the site.

EOG Response #61: Attachment 19 contains Sheet 3 of 16, entitled Site Grading and Paving, and Sheet 4 of 16, entitled Security Fence Plan, which shows existing and proposed contours for the project site. There will be grading and filling along the eastern and northeastern edges of the site to provide a level pad for the boundary fence and to support the paving in the northeast corner of the site.

Comment #63: EOG shall provide a plan sheet showing any surface water control structures. ss. NR 640.06(1)(g)2., and 645.06(1)(h)2., Wisconsin Administrative Code.

- The above sections and paragraphs of the State Code refer to engineering plan requirements for the project.

EOG Response #63: Attachment 19 contains sheet 5 of 16, entitled Miscellaneous Details. This sheet shows surface water control structures, including sumped catchbasins, manholes, and erosion control devices.

Comment #64: EOG shall clearly show any slope on the floor in each of the storage areas and also show how the slope would affect the containment capacity. ss. NR 640.06(2)(a)1. and 2., NR 640.13, NR 645.06(2)(a)1. and 2., and NR 645.09, Wisconsin Administrative Code.

EOG Response #64: Details of floor slope in all storage areas are presented in design drawings A1 (Sheet 6 of 16) and S2 (Sheet 8 of 16), Attachment 19. Containment Volume calculations are presented in Attachment 21.

Comment #72: EOG shall provide more extensive information in the operation and maintenance manual on specifications for site construction and operation and descriptions of daily operations. ss. NR 640.06(2)(d), and NR 645.06(2)(d), Wisconsin Administrative Code.

EOG Response #72: Specifications for site construction, including erosion control, grading, paving, storm sewer, sanitary sewer, and water service, are in Attachment 20.

Comment #83: In Attachment 7, section 3, page 15, paragraph 3, EOG shall specify what tests will be performed on the tanks, "as required."

EOG Response #83: A tank farm visual inspection will be performed daily for tank weld breaks, punctures, scrapes of protective coatings, cracks, structural damage, frost heave, and corrosion.

Text has been revised in Attachment 7, Section 3, Page 15, Paragraph 3. Attachment 18 of this submittal contains the revised pages.

Comment #84: EOG shall provide further information on the feed systems, safety cutoff, the systems for monitoring tank levels in the tanks, bypass systems, pressure controls such as vents, and all leak detection devices. ss. NR 645.06(1)(i)3, Wisconsin Administrative Code.

EOG Response #84: Further information on systems operations are provided as follows (see also process and instrumentation diagrams; Sheet 14 of 16, Sheet 15 of 16, and Sheet 16 of 16 in Attachment 19; and equipment specifications in Attachment 20).

AGITATORS:

AG-1: Agitator for Storage Tank ST-1. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-2: Agitator for Storage Tank ST-2. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-3: Agitator for Storage Tank ST-3. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-4: Agitator for Storage Tank ST-4. Agitator is controlled by explosion-proof push button actuation at the tank. Agitator operates continuously while product is in the tank. Agitator is manually deactivated by the push button when the tank is not in use or as management dictates.

AG-5: Agitator for Blend Tank BT-1. Agitator is controlled by explosion-proof push button actuation at the tank. Motor starter is interlocked with timer to operate agitator for ten minutes before automatically requiring operator to re-activate if further blending is required.

UNLOADING TANKER TO STORAGE TANKS:

This operation is controlled from a Control Panel, CP-1, located at the pumping station. Product hose and vapor return hose are connected to tanker.

ST-1, ST-2, ST-3, or ST-4 is selected. GV-1 and GV-12 are left in closed position. GV-2, GV-35, and GV-13 are opened. System is activated by push button.

Upon activation, free capacity of selected storage tank is calculated based on level reading from ultrasonic level detector, L1. If free capacity is less than 5,000 gallons, check capacity alarm light is activated on control panel. If this circumstance is acceptable to the operator, operator pushes acknowledge button and system is activated. Otherwise, a different tank selection is made.

Upon activation, ABV-1 remains in the closed position, three-way solenoid S-6 opens, allowing air onto the cylinder of ABV-2, thereby opening ABV-2. Tank fill valve ABV-7, ABV-8, ABV-9, or ABV-10 and tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened, depending on the tank selected for filling. ABV-17 is also similarly opened. As tank fills, vapors are vented back to the tanker.

If the level in the selected tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoids venting and actuated valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator. At this point, a different storage tank is selected as outlined above and the system is activated again.

Upon completion of pumping out the tanker, the pump P-4 or P-5 is allowed to empty the suction lines. The system is deactivated by push button at the control panel CP-1, allowing the three-way solenoid valves on the actuated valves to vent, thereby closing the actuated ball valves.

GV-2, GV-35, and GV-13 are closed, and product and vapor hoses are disconnected.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm light is activated requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM STORAGE TANK TO BLEND TANK BT-1

This operation is controlled from control panel CP-1 located at the pumping stations.

The operation of Transfer from S.T. to B.T. is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-2, GV-35, and TV-13 are left in closed position. GV-1 and GV-12 are opened. System is activated by push button.

Upon activation, ABV-2 remains in the closed position; three-way solenoid S-5 opens, allowing air onto the cylinder of ABV-1, thereby opening ABV-1. Tank discharge valve ABV-3, ABV-4, ABV-5, or ABV-6 is similarly opened, depending on the tank selected for transferring. Tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened depending on the tank

selected. Blend tank vent valve ABV-16 is similarly opened. As blend tank fills, vapors are vented back to the appropriate storage tank.

If the level in the blend tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoids venting and actuated valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator.

Upon completion of transferring from the selected storage tank to the blend tank, the system is deactivated. All actuated valves are closed and all gate valves are closed.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm sounds requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM BLEND TANK BT-1 TO STORAGE TANK

This operation is controlled from a control panel, CP-2, located at the blend tank pumping station.

The operation of Transfer from B.T. to S.T. is selected. Pump P-2 or P-3 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-21 is left in closed position. System is activated by push button.

Upon activation, free capacity of selected storage tank is calculated based on level reading from ultrasonic level detector, L1, in that storage tank. The amount to be pumped from blend tank is calculated based on level reading from L1 in blend tank. If free capacity in the selected storage tank is less than the amount to be pumped from the blend tank, check capacity alarm light is activated on control panel. If this circumstance is acceptable to the operator, operator pushes acknowledge button and system is activated. Otherwise, a different storage tank selection is made.

Upon activation, three-way solenoid S-18 opens, allowing air onto the cylinder of ABV-11, thereby opening ABV-11. Storage tank inlet valve ABV-7, ABV-8, ABV-9, or ABV-10 is similarly opened, depending on the storage tank selected for transferring. Blend tank vent valve ABV-16 and storage tank vent valve ABV-12, ABV-13, ABV-14, or ABV-15 are similarly opened. As storage tank is filled, vapors are vented back to blend tank.

If the level in the selected storage tank reaches the high level position setting for L1, the system is deactivated with all three-way solenoid venting and actuating valves thereby returning to closed position. An alarm light is activated at the control panel. Alarm is deactivated upon acknowledgment by the operator.

Upon completion of pumping out the blend tank, the pump P-2 or P-3 is allowed to empty the suction lines. The system is deactivated by push button at the control panel CP-2, allowing the three-way solenoid valves on the actuated valves to vent thereby closing the actuated ball valves.

The system is limited to 30 minutes of continuous operation. If the system operates for 25 minutes continuously, an alarm light is activated, requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

TRANSFERRING FROM STORAGE TANK TO TANKER

This operation is controlled from a control panel, CP-1, located at the pumping station.

The operation of Transfer from S.T. to Tanker is selected. Pump P-4 or P-5 is selected. Manual valving is checked for consistency with pump selection. Storage Tank ST-1, ST-2, ST-3, or ST-4 is selected. GV-2, GV-12, and GV-35 are left in closed position. GV-1 and GV-13 are opened. System is activated by push button.

Upon activation, three-way solenoid to storage tank discharge actuated valve ABV-3, ABV-4, ABV-5, or ABV-6 opens, allowing air onto the cylinder of the corresponding valve, thereby opening that valve. Storage tank nitrogen solenoid valve S-12, S-13, S-14, or S-15, depending on the tank selected, is also opened to replace the pumped volume with nitrogen.

Tanker level is monitored by the operator and the system is deactivated at the appropriate time. GV-1 and GV-13 are closed and the product hose is disconnected.

The system is limited to 25 minutes of continuous operation. If the system operates for 20 minutes continuously, an alarm sounds requiring acknowledgment from the operator. Once acknowledged, the system will operate for another cycle.

OPERATION OF DRUM AUGER AND CONVEYOR

Drum auger system is operated according to the manufacturer's instructions. Drums are staged after evaluation for use in fuel blending. If drum contents are to be routed to blend tank BT-1, the gate in the chute at the auger discharge is placed in the position to feed the emptied drum contents into the conveyance system to blend tank BT-1. Slide gate valve SGV-1 is opened, and operation of the auger system is commenced. Drums are emptied by the system into the conveyance system which conveys them to blend tank BT-1. At completion of blend tank loading, the auger system is deactivated and SGV-1 is closed.

If drum contents are evaluated as inappropriate for blending, the gate in the chute is moved to discharge emptied drum contents into roll-off below drum auger. Upon completion of drum emptying, auger is deactivated.

Comment #86:

EOG shall provide a more detailed description of how the tank systems shall be installed in compliance with ss. NR 645.08(2), (4) and (5), referenced from ss. NR 645.06(1)(i)1. and 6., Wisconsin Administrative Code. EOG shall confirm that the tanks will be tested after they are constructed and put into place.

- The above section and paragraphs of the State Code pertain to inspecting the aboveground tank system after installation and before active service. Paragraph (2) specifies criteria for a visual inspection of all tank system components and certification by a qualified individual. Paragraph (4) specifies criteria for leak testing the tank system. Paragraph (5) specifies criteria for supporting and protecting all ancillary equipment.

EOG Response #86

NR 645.08(2)—*The installation of all aboveground storage tank systems will be observed by an independent, qualified installation inspector or an independent registered professional engineer. During installation, the inspector will insure that manufacturer's specifications concerning installation be followed, or that recommended industry standards be followed (i.e., Steel Tank Institute, "Installation Instructions for Factory Fabricated Aboveground Tanks;" and Petroleum Equipment Institute, "Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling"). After installation, the qualified inspector will observe the tank system for any weld breaks, punctures, scrapes of protective coatings, cracks, corrosion, or other structural damage. Any damage will be repaired prior to placing the tank system into active service.*

NR 645.08(4)—*After installation and prior to active service, each tank and associated ancillary equipment will be tested for tightness by an independent, qualified inspector. Leak testing will consist of air pressure testing and will be performed according to the tank manufacturer's specifications. The tank itself will be pressurized to between 1-1/2 to 2-1/2 pounds per square inch as recommended in the Steel Tank Institute document "Installation Instructions for Factory Fabricated Aboveground Tanks (R912-91)," dated April 4, 1991, and the Petroleum Equipment Institute document "Recommended Practices for Installation of Aboveground Storage Systems for Motor Vehicle Fueling (PEI/R200-92)." Piping will be pressured separately from the tank at a pressure of 50 pounds per square inch. All fittings to the tank and piping and all piping connections will be soaped during testing to detect leakage. All sources of leakage will be repaired, refit, and retested before the tank system is placed in active service.*

NR 645.08(5)—*All piping and ancillary equipment will be supported and protected as indicated on Sheet 10 of 16 in Attachment 19. Supplemental to this drawing, the piping will be installed straight and true without springing, forcing, or bending. Installation shall be neat and completed in a workmanlike manner. Piping shall be installed in full length units to minimize number of joints.*

All piping shall be rigidly supported and anchored so that there is no movement or visible sagging between supports. No support from connected equipment will be allowed.

All piping support design, construction, materials, and installation shall be in accordance with the latest applicable provision of the Code for Pressure Piping, ANSI B31.1, unless otherwise specified herein.

In the design of piping supports, consideration shall be given to all factors such as thermal expansion, weight, support reactions, and expansion joint reactions. Supports shall not include excessive strain in the piping, connected equipment, or building structure.

Pipe deflection between supports shall be limited to 1/8-inch maximum with normal operating contents in the piping or 3/8-inch with maximum loading. Nominal pipe support spacing shall be 10 feet.

Supports shall be located and arranged so as not to interfere with or obstruct other piping, raceways, lighting, walkways, stairways, headroom, and equipment operation and maintenance spaces.

The net supporting effect at operating condition shall not induce forces or moments on the piping system terminals. Under conditions other than operating, the supporting effect shall not induce excessive forces or moments on the piping, equipment or supports.

Vertical pipe supports shall be protected by ballards where subject to vehicle traffic. Where piping passes through walls or roofs, the piping assembly shall be provided with a sleeve or collar per recommendation of building manufacturer.

Piping that is located in exterior areas shall be supported and installed in a piping trough with a removable gasketed top cover assembly. The piping system shall be sloped toward a collector sump to permit detection of leakage in the carrier pipe. Since piping runs are relatively short, thermal loops or expansion joints are not anticipated.

Comment #87:

EOG shall provide a more detailed description of how the secondary containment system for each tank system is designed and constructed to meet the requirements of ss. NR 645.06(1)(i)7. and 9., and 645.09(3) to (8), Wisconsin Administrative Code. In addition to Attachment 7, the location indicated in the location comments, some of the information was located in Attachment 8, Appendix A.

- The above sections and paragraphs of the State Code require that detailed plans and specifications be provided explaining how secondary containment for each tank system will be designed, installed, and operated to prevent any migration of wastes or accumulated liquids out of the system to soil, groundwater, or surface water, and how the system is capable of detecting and collecting releases and accumulated liquids until the collected material is removed. NR 645.06(1)(i)9 requires a description of controls and practices to prevent spills and overflows.

EOG Response #87:

NR 645.09(5)(a)—Secondary containment will be constructed as indicated on Drawing S2 (Sheet 8 of 16) in Attachment 19. The walls and floor will be constructed of poured, reinforced concrete. The floor and walls will be constructed of 12-inch thick concrete. Concrete pads will be provided for additional support directly beneath the tank supports. Concrete in the floor will be reinforced as indicated to reduce cracking and provide adequate support for the tanks (see stress calculations provided in Attachment 21). The walls will be reinforced to resist cracking and to resist overturning (see stress calculations in Attachment 21).

The tank system will store various flammable petroleum products, inks, and organic solvents which will not aggressively react with or degrade the concrete, but which could progressively corrode the concrete over prolonged

direct exposure. Therefore, to prolong the life of the concrete and to seal pores in the concrete, the inside walls and floor of the secondary containment system will be coated with an epoxy resin which is compatible with the stored wastes. To provide for uniform coating, the inside surfaces of the concrete secondary containment will be troweled smooth. The concrete surfaces will be prepared according to the epoxy manufacturer's specifications (etched with muriatic acid, rinsed, and neutralized with tri-sodium phosphate) prior to application. The resulting epoxy coating will be approximately 30-mil thick. All joints in the concrete will be fitted with continuous stainless steel water stops and sealed with a flexible joint sealing compound which is compatible with the stored waste (see Sheet 8 of 16 in Attachment 19).

NR 645.09(5)(b)—The tank system will be placed on a reinforced concrete slab having a minimum thickness of 12 inches (see Sheet 8 of 16 in Attachment 19). The foundation has been designed to resist pressure gradients from above and below, and is capable of preventing failure due to settlement, compression or uplift (see stress calculations in Attachment 21).

NR 645.09(5)(c)—The tank system will be provided with leak detection which is designed to detect failure within the tank system and associated ancillary equipment located inside the secondary containment. The method of leak detection will be twofold:

1. A sump will be placed inside the secondary containment as indicated on Sheet 7 of 16 in Attachment 19. The sump will contain a liquid level sensor designed to automatically alert site personnel to the presence of liquids within the sump on a continuous basis.
2. During normal business hours, the tank system will be inspected for leakage on a daily basis.

Also, to prevent overfills from occurring, each tank will be fitted with overfill alarms and a liquid level sensor to provide electronic tank gauging.

Aboveground piping located outside the secondary containment walls will be enclosed by a secondary containment jacket as indicated on Sheet 10 of 16 in Attachment 19. The containment jacket will be sloped to a small collection sump integral to the jacket. The sump will be fitted with a liquid level sensor which is designed to alert site personnel to the presence of liquids on a continuous basis.

NR 645.09(5)(d)—The floor of the secondary containment is designed to slope towards a collection sump which will be fitted with a liquid level sensor alarm (see Sheet 7 of 16 in Attachment 19). The secondary containment jacket for external piping is also designed to slope towards a collection sump which will contain a liquid level sensor alarm. Liquids which accumulate within the secondary containment sumps will be removed by pumping within 24 hours.

NR 645.09(6)—Secondary containment for the tank system is considered to be an external, reinforced concrete liner.

NR 645.09(7)(a)—The concrete liner system is designed to contain 100% of the capacity of the largest tank (12,000 gallons) and ancillary equipment within its boundary (see tank volume calculations in Attachment 21).

The tank system is fully covered to prevent run-on or infiltration of precipitation into the concrete liner as indicated on Sheet 8 of 16 in Attachment 19.

The walls and floor of the concrete liner are reinforced with two layers of re-bar, and therefore should provide maximum resistance to cracking. The concrete liner walls will be constructed with footings located below the local frost line and, as such, should eliminate or limit differential movements caused by frost heave and periodic freeze-thaw cycles (see Sheet 8 of 16 in Attachment 19). In addition, all joints in the concrete liner will be fitted with continuous stainless steel water stops as indicated on Sheet 8 of 16 in Attachment 19.

The concrete liner is designed to completely surround the tanks and to cover all surrounding earth likely to come into contact with the waste if the waste is released from the tank (see Sheet 7 of 16 and Sheet 8 of 16 in Attachment 19).



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November 10, 1995

Mr. Pat Brady
Wisconsin Department of
Natural Resources
4041 North Richards Street
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RE: EOG Disposal, Inc. 5611 West Hemlock Street, Milwaukee, WI
EPA ID# WID003967148
Feasibility and Plan of Operation Report Notice of Completeness & Preliminary
Determination

Dear Mr. Brady,

Enclosed please find our subsequent response to your letter dated October 11, 1995. This response contains information regarding each of the conditions in the preliminary FPOR determination.

EOG is submitting the following information as replacement pages and/or additional pages to the original document. All replacement pages and additional pages have been marked as such and include the date of this response submittal. This response has been prepared on a point by point basis from the October 11, 1995 letter for ease of review.

If you have any questions regarding this submittal, please contact me at (414) 353-1156.

Sincerely,
EOG Disposal, Inc.

Michael C. Vilione, President
VK Investments (Owner)

cc: Tom McElligott
Ed Lynch

Comment #1:

EOG shall provide details on the connections to the tanks in the lab pack building. EOG shall also include a narrative describing the filling and emptying of these tanks. EOG shall provide descriptions of the supports for these tanks. EOG shall explain how these tanks and their secondary containment units will achieve compliance with s. NR 645.09(4) and (5), Wisconsin Administrative Code.

EOG will operate two drum pump-out systems in the Lab Pack Building. One will be for the purpose of removing acids from drums and the second will be for the removal of bases from the drums. Each system will consist of a suction tube for removing liquid from the drums, a stainless steel/teflon trim double diaphragm air driven pump, and a 5,500 gallon tank of the appropriate material, along with all related piping and valves as shown on Sheet 1 of 3 located in Attachment 23.

Acid waste will be pumped through the acid piping system into the Acid tank by opening the proper valves and actuating the air driven acid waste pump. Upon completion of pumping from a drum, the ball valve to the suction tube will be closed, the pump will be deactivated, the tube will be removed from the drum and either a new drum will be pumped or all valves will be closed to end the procedure. Base wastes will be pumped from drums in the same manner using the base system. Displaced air from the base system will be vented to the atmosphere outside the building. Vapors displaced from the acid tank will be vented to the caustic scrubber.

Each tank will be emptied by a vacuum tanker initially with piping provisions to be made for the addition of 3" gear pumps. Evacuation of the tanks will be accomplished by the connection of the proper "dry disconnect" fittings to the matching fittings on the truck, opening of the appropriate valves, and removal of the material from the storage tank into the tanker for transport. Upon completion, the valves will be closed and the "dry disconnect" fittings will be disconnected.

The tanks will be designed with dished bottoms and supports as shown on Plan Sheet 2 of 3 located in Attachment 23. The supports will be designed to support the stored liquids and the weight of a completely filled tank, structural calculations are located in Attachment 24. The tank bottoms will be elevated 2 feet off the floor slab by the supports to allow visual inspection of the tank bottom for leakage. The inside of the tanks will be lined with an epoxy coating to eliminate corrosion. The exterior of the tanks will be painted with enamel to minimize corrosion.

Secondary containment will be constructed as indicated in Plan Sheet 2 of 3. The walls and floor will be constructed of poured, reinforced concrete. The floor will be constructed of an eight-inch thick concrete base, followed by a synthetic, chemical resistant (acid/base) liner, followed by a six-inch

thick concrete top slab. The walls will be constructed of 12-inch thick reinforced concrete. Concrete pads will be provided for additional support directly beneath the tank supports. Concrete in the floor will be reinforced to reduce cracking and provide adequate support for the tanks. The foundation (floor) will be designed to resist pressure gradients from above and below, and is capable of preventing failure due to settlement, compression, or uplift (see stress calculations provided in Attachment 24). The walls will also be reinforced to resist cracking.

To prolong the life of the concrete and to seal pores in the concrete, the inside walls and floor of the secondary containment systems will be coated with an epoxy resin which is compatible with the stored wastes. To provide for uniform coating, the inside surfaces of the concrete secondary containment will be troweled smooth. The concrete surfaces will be prepared according to the epoxy manufacturer's specifications (etched with muriatic acid, rinsed and neutralized with tri-sodium phosphate) prior to application. The resulting epoxy will be approximately 30-mil thick. All joints in the concrete will be filled with continuous stainless steel water stops and sealed with flexible joint sealing compound which is compatible with the stored waste.

Secondary containment for the tank systems is considered to be an external, reinforced concrete liner. The concrete liner systems are designed to contain 100% of the capacity of the largest tank (5,000 gallons) and ancillary equipment within its boundary (see tank volume calculations in Attachment 8, Appendix A of the FPOR). The tank systems are fully enclosed within a building and are therefore protected from run-on or infiltration of precipitation.

Leak detection will be accomplished by visual inspection on a daily basis. Any accumulated liquids will be removed by pumping or absorption immediately. Any defective (leaking) tank system components will be repaired as soon as practicable. To prevent overspill from occurring, each tank will be fitted with overfill alarms and a liquid level sensor to provide electronic tank gauging.

Comment #2:

EOG Shall provide sidewall and bottom structure and corrosion calculations on the 6 proposed licensed hazardous waste tanks in accordance with s. NR 645.08, Wisconsin Administrative Code.

Sidewall and bottom structure and corrosion calculations on the 6 proposed licensed hazardous waste tanks are located in Attachment 25.

Comment #3: EOG shall have the submittal dated and all additional information submitted to complete the FPOR certified by a professional engineer certified in the state of Wisconsin. s.NR 680.05(1)(a)(1)., Wisconsin Administrative Code. The P.E. signature and stamp is for the state of North Carolina and explains that the engineer has applied for P.E. Status from the state of Wisconsin. A P.E. certification from the State of Wisconsin is required. In addition to the P.E. certification on the drawings, a P.E. certification should cover the entire submittal and any revisions and/or additions to the FPOR. Whenever any additions, revisions and/or modifications are submitted regarding the FPOR, EOG shall submit the documents under the certification of a state of Wisconsin P.E. s.NR 680.05(1)(a)1., Wisconsin Administrative Code.

P.E. certifications are located in Attachment 26 of this submittal.

Comment #4. EOG shall explain if the auger system will be directly vented to the vapor recovery system or through the carbon unit to the atmosphere.

Air from the auger system will be vented through the carbon adsorption unit to remove the organic contaminants before being discharged into the atmosphere.

Comment #5: In response to #41 of the December 9, 1994 , notice of incompleteness, EOG was requested to make changes to table 2, located in attachment 3, pages 39 through 58. No changes were observed in table 2. EOG shall make the requested changes to table 2. EOG shall also explain whether the analyses listed in table 2 are the only analyses performed on the waste.

In the February 27, 1995 response to the Notice of Incompleteness EOG included a revised Table 2 that contained an additional column indicating that **Compatibility** analysis would be completed for each Primary Waste Type. The analysis listed in Table 2 are the only analyses performed unless other analysis is deemed necessary by management. This other analysis may include additional fingerprint analysis such as reactivity, organic solvent identification, viscosity, acid reactivity, oxidizer and percent ash to further qualify materials to meet outbound facility specifications. A descriptor defining other analysis has been added Attachment 5, Table 2, page 64 of the FPOR. Attachment 27 of this submittal contains the revised table.

Comment #6:

In your response to #43 and #44 of the December 9, 1994, notice of incompleteness, EOG states that samples received on-site will be analyzed by an on-site chemist. EOG shall confirm that the on-site analysis, which is part of the waste analysis plan, shall be carried out in a laboratory which is certified or registered under ch. NR 149, Wisconsin Administrative Code. EOG makes the distinction between waste characterization and determining the acceptability of waste materials. Both are part of the waste analysis plan and therefore both shall be performed by a laboratory which is certified or registered under ch. NR 149, Wisconsin Administrative Code, as required by s NR 630.13(2), Wisconsin Administrative Code. EOG shall provide a clear explanation and provide revised language for the FPOR.

Analysis that is completed for waste characterization purposes and acceptability determination will be completed by a laboratory which is certified or registered under ch. NR 149, Wisconsin Administrative Code. Attachment 5, Section 4 page 36 and Attachment 5, section 7 page 42 of the FPOR have been changed to clarify this issue. Attachment 27 of this submittal contains the revised pages.

Comment #7:

In attachment 5, section 5.1., the seventh line states, "A minimum of ten percent of the containers... shall be sampled", and the next line states, "All incoming wastes are sampled." EOG shall provide further clarification on their sampling and provide replacement language in attachment 5, section 5.1., which clarifies their sampling.

A minimum of 10% of the containers of each generator's waste stream shipment is sampled. Attachment 5, section 5.1, page 37 of the FPOR has been changed to clarify this issue. Attachment 27 of this submittal contains this revised page.

Comment #8:

EOG shall revise the Waste Profile Sheet in attachment 5, appendix A, so that it clearly shows if the results are from testing, generator knowledge, or some other method.

EOGs Waste Profile Sheet has been revised to show that the results are from testing, generator knowledge or other method. Attachment 5, Appendix A of the FPOR has been revised to clarify this issue. Attachment 27 of this submittal contains the revised Waste Profile Sheet.

Comment #9: In response to #45 of the December 9, 1994 notice of incompleteness, EOG shall provide replacement text which refers to attachment 17 rather than attachment 15.

Attachment 17 of EOGs February 27, 1995 submittal contained revised plan sheets that were to replace those in attachment 15 of the original FPOR. Therefore, the text in response to question #45 is correct in referring to "Sheets 9, 10 and 11 of Attachment 15".

Comment #10: In response to #50 of the December 9, 1994, Notice of Incompleteness, EOG refers to "north of the paved roadway", in response to where trucks might be waiting. EOG shall further explain whether that area is the parking lot north of their proposed office building or on Hemlock Street and provide revised language in the FPOR reflecting this point. This area should be identified on a plan sheet.

Trucks which are waiting to load or unload will be staged within a fenced area located on the EOG property. This area is located directly northeast of the EOG offices and has dimensions of 98 feet by 65 feet. This area will only be used for truck staging when heavy traffic is experienced at the site loading and unloading facilities and roll-off staging area which are located to the south. The trucks will be attended by their drivers while waiting to load or unload. The location of the proposed staging area is shown on the revised Site Grading and Paving Plan, Sheet 3 of 16. Attachment 3, Section 5 page 13 of the FPOR has been changed to clarify this issue. Attachment 27 of this submittal contains the revised page and revised plan sheet.

Comment #11: In #54 of the December 9, 1994, notice of incompleteness, EOG was requested to submit to the department a specific time table laying out their plans for construction on their hazardous waste management facility. EOG must again submit a more specific time table. In addition to their response, EOG shall submit a proposal for seeking licensing of the facility and their anticipated time table for requesting licensing and whether this will be requested all at once or in stages.

EOG is planning to construct their facility in three general phases according to the following schedule:

Phase 1: Retrofit of the existing building will begin December 1, 1995. Construction is expected to take 3 months.

Phase II: Construction of the Lab Pack Depack building will begin April 1, 1996 and is expected to take 4-5 months.

Phase III: Construction of the tank farm will begin mid-April 1996, expected to take 4 months to construct.

EOG will seek licensing for containers and tanks upon completing each construction phase, and upon submitting a construction observation report for each phase as required in NR 680.08, Wisconsin Administrative Code. An application for licensing will accompany each report. EOG will seek licensing as follows:

- * A container license after construction of Phase I;
- * A modification to the container license, and a tank license after construction of Phase II; and
- * A modification to the tank license after construction of Phase III.

Comment #12: In your response to #65 of the December 9, 1994, notice of incompleteness, EOG shall address how the containment area for lab pack container storage area complies with the requirements of s. NR 640.13, Wisconsin Administrative Code, and how the containers will be protected from contact with accumulated liquids.

The floors in each of the lab pack building rooms will have a containment system designed and constructed to have a continuous base which is free of cracks or gaps and is impervious to the material to be stored, and will contain any hazardous waste discharges, leaks, spills and precipitation until the collected materials is detected and can be removed. The doorway of each of the five rooms will have a 6-inch impervious ramp. Upon room entry there will be a series of grates inset 6 inches above the room floor. This grating system will provide an elevated surface for containers to avoid any chance of contact with accumulated liquids.

Comment #13: In response to #73 of the December 9, 1994, notice of incompleteness, no information was presented on the outbound shipment of containers. EOG shall include information on the outbound shipment of containers.

Any containerized materials that are destined for outbound shipment will be packaged according to DOT specifications. All shipments will include properly completed manifests and land disposal restriction forms. Lab packed drums will also include inventory sheets identifying drum contents. Drums shipping from EOG will be properly labeled in accordance with 49 CFR 174.400 General Labeling requirements. All containers shipping off

site will be sent to fully permitted and licensed transfer, storage and disposal facilities.

Comment #14:

As a response to #80 of the December 9, 1994, notice of incompleteness, EOG shall inform the department whether spare parts are kept on site for any of the units of importance, where operation of the facility could be stopped because of need to wait for a replacement part.

EOG will maintain an inventory of spare parts that will include the following:

AGITATORS:

AG-1 - AG-4

Agitators for tanks ST-1 through 4. Components consist of agitator blades, baffles, shafts, seals, shaft couplings, gear reducers and motors. Spare parts will include one gear reducer, one motor, two internal parts for seals, two internal parts for seals, two internal parts for bearings and two shaft couplings.

AG-5

30 horsepower agitator for Blend Tank BT-1. Components consist of motor, gear reducer, bearings, shaft, seal, shaft coupling, belts and blade.

VALVES, PUMPS, FILTERS LIQUID LEVEL CONTROLS:

1/4" bronze ball valves with ss/teflon trim.

1-1/2" bronze ball valve with ss/teflon trim.

3/4" needle valves.

3" carbon steel gate valves with 304 ss trim.

1-1/2" spring loaded ss check valve.

3" spring loaded ss check valves.

1/2" explosion proof 120v solenoid valves.

2" in-line flame arrestor.

1-1/2" explosion-proof 120v solenoid valve.

2" pressure/vacuum relief valve.

2" 2 piece ATOSR actuated valves.

3" filters with 3/16" ss perforated screen.

3" 3 piece ball valves ATOSR.

Diaphragms and seat assemblies for double diaphragm pump.

Gears, bearings and seals for 3" gear pump.

Dual level sensors.

This spare part inventory will allow for minimal down time.

Comment #15: **EOG shall incorporate their responses to #84, #86 & #87 of the December 9, 1994, notice of incompleteness into the body of the FPOR.**

Responses #84, #86 & 87 have been incorporated into Attachment 7, "Process Information" and Attachment 8, "Preparedness & Prevention" of the FPOR. Attachment 27 of this submittal contains the revised pages.

Comment #16: **Even though only solids will be stored in the lugger boxes, EOG shall provide adequate containment as required by s. NR 640.13, Wisconsin Administrative Code. EOG shall submit plans showing how they comply with all of the containment requirements of s. NR 640.13, Wisconsin Administrative Code.**

The outside area used to store roll-off containers is shown on Plan Sheet 3 of 3 located in Attachment 23 of this submittal. The area will be designed to accept a maximum of six roll-off containers. Each roll-off will have approximate dimensions of 20 feet long by 7.5 feet wide by 3.5 feet high, and will have an approximate capacity of 20 cubic yards. The waste material stored in each roll-off will consist of solids and be of like chemical compatibility.

The roll-off container storage will be constructed as shown on plan sheet 3 of 3. The floor slab will be constructed of eight-inch thick reinforced concrete. The floor slab will be placed on an engineered backfill to minimize frost heave. The foundation (floor slab and footings) is adequate to support the load of six roll-off containers filled to maximum capacity (See structural loading calculations in Attachment 28). All construction joints will be fitted with stainless steel water stops and sealed with caulk (which is compatible with the stored waste) to prevent migration of accumulated liquids.

Secondary containment in the form of concrete curbing will be monolithically joined to the concrete floor slab. The height of the curbing will vary with the slope of the floor slab as indicated on Plan Sheet 3 of 3. The secondary containment structure will have a capacity to hold the contents of one roll-off container (see volume calculations for secondary containment in Attachment 28). The floor slab will be pitched to collect and hold any spilled or accumulated liquids within the secondary containment structure.

The storage area will be enclosed with a canopy as indicated on Plan Sheet 3 of 3. The canopy will be designed to allow safe loading and unloading

of roll-off containers and also prevent the accumulation of precipitation within the secondary containment structure. The canopy will be supported by concrete footings which will extend below the frost line to prevent the effects of frost heave. The concrete apron in front of the storage area will be pitched away from the storage area to prevent stormwater from entering the secondary containment structure.

The storage area will be inspected daily for leaking containers or accumulated liquids. Any accumulated liquids will be removed immediately by pumping, vacuuming, or use of absorbents. Leaking containers will be repaired immediately. The floor slab will be provided with a continuous curb stop along its entire length to prevent containers from rolling backwards and consequently damaging the secondary containment structure or back wall of the canopy.

Comment #17: EOG shall confirm:

- a. the lugger boxes will always have gaskets around the openings on the sides,**
- b. the lugger boxes will always remain covered with an exception for filling,**
- c. the exterior of the lugger boxes will be clean before they are placed outside, and**
- d. that adequate access to inspect the lugger boxes will be available.**

EOG confirms that the lugger boxes will always have gaskets around the openings and sides, will remain covered with an exception for filling, the exterior of the lugger boxes will be clean before they are placed outside and adequate access to inspect the lugger boxes will be available.

Comment #18: EOG Shall explain how the containment area for containers in the lab pack building complies with the requirements of s. NR 640.13, Wisconsin Administrative Code, for preventing contact between the containers and any accumulated liquid.

The floors in each of the lab pack building rooms will have a containment system designed and constructed to have a continuous base which is free of cracks or gaps and is impervious to the material to be stored, and will contain any hazardous waste discharges, leaks, spills and precipitation until the collected material is detected and can be removed. The doorway of

each of the five rooms will have a 6-inch impervious ramp. Upon room entry there will be a series of grates inset 6 inches above the room floor. This grating system will provide an elevated surface for containers to avoid any chance of contact with accumulated liquids.

Comment #19: **EOG shall explain how they will respond to spills in the catch basins located in the south and northeast sections of the property.**

In the event of a spill in the catch basins, the storm sewer shut off valve will automatically be actuated to prevent discharge. Any spill material contained in the basin will be sampled, analyzed, pumped into drums and stored for off-site treatment or disposal at a fully permitted and licensed treatment, storage and disposal facility.

Comment #20: **If hazardous waste cylinders are to be stored on site, EOG shall explain what precautions will be taken in handling and storing these cylinders.**

Hazardous waste cylinders will be accepted at EOG for storage and transfer only. Cylinders will be received in the lab pack building only and stored according to hazard class in appropriately designated rooms. Cylinders received in small drums or DOT boxes will be re-packaged into larger DOT shippable drums for off-site disposal at a permitted facility. Only properly packaged, identified, labeled and manifested cylinder will be accepted for storage and transfer. No cylinders will be opened or treated.

Comment #21: **Some confusion has occurred between the original submittal and the followup submittals because of use of attachment in both. The department could not always tell if the attachments in subsequent submittals were designed to fit into the original attachments of the same number, some other attachment, or be an additional attachment. EOG shall explain how these attachments shall be incorporated and submit a revised table of contents that reflects any changes.**

The following is an explanation of attachments from EOGs previous submittals:

EOG's February 25, 1995 response to the letter of incompleteness contained the following attachments:

Attachment 1: Replacement Part A Application for Attachment 1 of the FPOR.

Attachment 2 - Replacement pages for Attachment 2, "Needs Assessment" of the FPOR.

Attachment 3 - Replacement pages for Attachment 3, "General Facility Description" of the FPOR.

Attachment 4 - Replacement pages for Attachment 3, "General Facility Description" of the FPOR.

Attachment 5 - Replacement pages for Attachment 5, "Waste Analysis Plan" of the FPOR.

Attachment 6 - Replacement pages for Attachment 6, "Inspection Schedule" of the FPOR.

Attachment 7 - Replacement pages for Attachment 7, "Process Information" of the FPOR.

Attachment 8 - Replacement pages for Attachment 8, "Preparedness and Prevention" of the FPOR.

Attachment 9 - Replacement pages for Attachment 9, "Contingency Plan" of the FPOR.

Attachment 10 - Replacement pages for Attachment 10, "Personnel Training Program" of the FPOR.

Attachment 11 - Replacement pages for Attachment 11, "Closure Plan" of the FPOR.

Attachment 12 - "Waste Code Tally Sheet", this is an attachment of this submittal.

Attachment 13 - Contains a revised Master Table of Contents for the FPOR.

Attachment 14 - Contains a revised Checklist for the FPOR.

Attachment 15 - "Compatibility Testing Procedure" is an attachment of this submittal.

Attachment 16 - Replacement pages for Attachment 3, Appendix F of the FPOR.

Attachment 17 - Replacement Plan Sheets for Attachment 15 of the FPOR.

EOG's April 21, 1995 response contained the following Attachments:

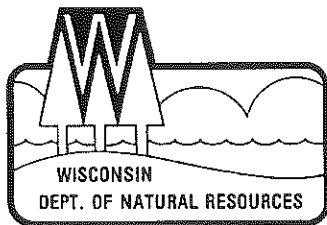
Attachment 18 - Replacement pages for Attachment 7, "Process Information" of the FPOR.

Attachment 19 - "Plan Sheets" is an attachment of this submittal.

Attachment 20 - "Erosion Control" is an attachment of this submittal.

Attachment 21 - "Stress and Containment Calculations" is an attachment of this submittal.

A revised Master Table of Contents containing any changes is located in Attachment 27 of this submittal.



State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor
George E. Meyer, Secretary
Gloria L. McCutcheon, District Director

Southeast District Annex
4041 N. Richards Street, Box 12436
Milwaukee, WI 53212-0436
TELEPHONE 414-229-0800
FAX 414-229-0810

April 19, 1996

In Response Refer To: FID# 241384000
HW/LIC/eogdcl.496

Michael Vilione, President
EOG Disposal, Inc.
5611 West Hemlock Street
Milwaukee, WI 53223

SUBJECT: EOG Disposal, Inc., 5611 West Hemlock Street, Milwaukee, WI
EPA ID# WID003967148
Feasibility and Plan of Operation Report Determination

Dear Mr. Vilione:

The department has reviewed for completeness and technical adequacy EOG Disposal, Inc. (EOG)'s September 1994 feasibility and plan of operation report (FPOR) requesting a hazardous waste operating license. Additional information was received on February 27, 1995, April 21, 1995, November 10, 1995, and February 22, 1996. The FPOR was prepared by EOG and their consultants, RMT, Inc., and Graef, Anhalt, and Schloemer and Associates, Inc.

A draft preliminary determination to conditionally approve the FPOR was issued by the department on October 11, 1995. Additional information which was requested in the draft preliminary FPOR determination was submitted by EOG on November 10, 1995. EOG submitted a document on February 22, 1996, requesting changes in the FPOR to allow for the implementation of additional operations in the phased construction and licensing of the facility. The department has modified some of the narrative and conditions of the draft preliminary determination in response to your February 22, 1996, request, the additional information received and further evaluation of the document by the department. The changes to the draft preliminary determination are as follows:

1. In regard to the changes in the numbering of conditions in the final determination from the condition numbers in the draft preliminary determination, the following has occurred:
 - a. no new conditions under "**General Conditions**";
 - b. five new conditions added under "**Specific Conditions**" (Conditions #20 and #21 are new conditions, so Conditions #22 through #24, were #20 through #22; Condition #25 is a new condition, so Conditions #26 through #31, were #23 through #28;

Cover Letter FPOR Determination - EOG - April 19, 1995

Condition #32 is new, so Condition #33, was #29, Condition #34 is new, so Conditions #35 through #47, were #30 through #42);

- c. five new conditions added under "**Specific Conditions - Waste Analysis**" (Condition #48 was #43, Conditions #49 through #53 are new conditions, Conditions #54 and #55, were #44 and #45);
 - d. no new conditions under "**Specific Conditions - Tanks**" (Conditions #56 through #61, were #46 through #51);
 - e. no new conditions under "**Specific Conditions - Containers**" (Conditions #62 through #78, were #52 through #68, Condition #79 is a new condition);
 - f. six new conditions under the new heading, "**Specific Conditions - Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building**" (the new conditions are #80 through #85);
 - g. five new conditions under the new heading, "**Specific Conditions - Lugger Box Container Storage**" (the new conditions are #86 through #90); and
 - h. two new conditions under the new heading, "**Specific Conditions - Fuel Blending Activities**" (the new conditions are #91 and #92).
- 2. Wording has been added to condition #9 to show that because of the time delay between the FPOR determination and the phases of facility construction, conditions may arise that would compel the department to request EOG to submit a revised FPOR or additional information.
 - 3. A comment has been added to Condition #17 because of the phased construction and licensing.
 - 4. Condition #19 has been revised to emphasize the need for EOG to show compliance with the air emission standards for process vents and equipment leaks before the department can issue a license or license modification to the applicable unit.
 - 5. Conditions #24, #26, #27, #28, #29, #65, #72, and #76 are revisions reflecting phased construction and licensing.
 - 6. Condition #26 is a revision reflecting phased construction and adding an additional requirement if a phase of construction has not been started within 2 years of the date of the determination.

Cover Letter FPOR Determination - EOG - April 19, 1995

7. Condition #30 is a revision deleting the last sentence because it was confusing with respect to condition #27.
8. Conditions #36, #37 and #38 are revisions to reflect that there are more than one containment system.
9. Condition #41 is a revision to correct a spelling error.
10. Condition #66 is a revision that changed "*inspected weekly*", to "*inspected at least weekly*".
11. Condition #20 has been added to incorporated submittals into the FPOR as was presented in the February 6, 1996, memo to Kandylee Schmidt, and in addition have done the following:
 - a. Items identified as being incorporated into a "*Construction Specifications*" attachment have been incorporated into Attachment 16 and has been retitled "*Design Specifications*".
 - b. Your February 22, 1996, letter regarding the revisions to the FPOR has been incorporated into a new attachment, Attachment 17 and titled "*Phased Construction Revisions*".
 - c. The new "*Licensing Correspondence*" attachment is identified as Attachment 18.

The department requests EOG to submit a new revised table of contents to reflect the above changes within 15 days of the date of this letter. The revised table of contents should be part of the final FPOR document that you send out to the local library and U.S. EPA.

12. Condition #21 is a standard condition to ensure the future integrity of the FPOR.
13. Condition #25 has been added to assist the department in keeping track of the facility construction.
14. Condition #32 has been added to complement Condition #5, and assist EOG in complying with hazardous waste management regulations.
15. Condition #34 was added to ensure that hazardous waste trucks and tankers are not stored outside of the facility.

Cover Letter FPOR Determination - EOG - April 19, 1995

16. Four additional conditions were added under the "*Special Conditions - Waste Analysis*" heading in order to provide some more specific waste analysis conditions.
17. Condition #79 was added to provide limitations on the storage of containers of various sizes.
18. Conditions #80 through #90 are specific container conditions that have been added under the titles "*Lugger Box Container Storage*" and "*Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building*". This does not mean that the conditions under "*Specific Conditions - Containers*" do not apply to the lugger box container storage and the container storage before EOG receives a license for container storage in the lab pack building. Specific container conditions under "*Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building*" will also apply to containers stored in the existing building before ignitable wastes can be stored. These conditions have been added because of phased construction and the need for more specific conditions for lugger box storage.
19. Conditions #91 and #92 are specific conditions that have been added under the heading, "*Fuel Blending Activities*" to coordinate the fuel blending recycling exemption with related activities requiring licensing.

Based on the review of the submitted material, it is our opinion that your proposed hazardous waste storage facility provides for satisfactory hazardous waste storage provided the conditions in the attached FPOR final determination are followed. The facility and operating plan are, therefore, approved subject to compliance with Chapters NR 600 through 685, Wisconsin Administrative Code, and to fulfillment of the conditions listed in the attached FPOR final determination. The department reserves the right to require changes in the FPOR should conditions arise making such necessary.

The attached final determination includes conditions. Please review the final determination carefully. The department believes that these conditions are necessary for EOG to comply with chs. NR 600 through 685, Wisconsin Administrative Code.

A needs assessment of the proposed facility has been completed and the department has also determined that an environmental impact statement is not needed, and that wetlands water quality standards (ch. NR 103, Wisconsin Administrative Code) have been met.

Please be reminded that construction inspection and construction documentation review fees pursuant to ch. NR 680, Wisconsin Administrative Code, are required after each phase of the construction activity is completed.

Cover Letter FPOR Determination - EOG - April 19, 1995

Attached are two hazardous waste storage license applications. In accordance with the FPOR and discussions we have had, the anticipated license issuance and modification determination issuance will be done in steps. The steps in their anticipated order are as follows:

1. a license for hazardous waste (not including ignitable hazardous) container storage in the existing building;
2. a modification of the container storage license for revisions to the container storage area in the existing building to allow for storage of ignitable hazardous waste,

(The department will issue at the same time the public notice for intent to issue a license to item #1 and the modification determination for item #2.)

3. a license for hazardous waste tank storage in the lab pack building,
4. a modification of the container storage license to include container storage in the lab pack building along with a modification of the container storage in the existing building to address the lab packing operations being moved to the lab pack building and the change in the layout and capacity in the existing container storage building,
5. a modification of the container storage license for roll-off container storage,
6. a modification of the tank license for tank storage in the tank farm, and

(The department will issue at the same time the public notice for intent to issue a license to item #3 and the modification determinations for items #4, #5 and #6.)

7. a modification of the container storage license for the expansion of the existing building to allow for an increase in container storage capacity.

The department understands that the order of construction completion of the above activities may change and may affect the order of the tank storage license application and the tank and container storage license modifications.

The department's intent to issue container and tank hazardous waste storage licenses and the modification determinations is conditional on EOG following the FPOR and the FPOR determination during the applicable phase of construction.. After each phase of construction has been completed, the department will perform an inspection of the site and review the applicable construction documentation information. Issuance of a license or modification determination will follow a favorable construction documentation determination.

Cover Letter FPOR Determination - EOG - April 19, 1995

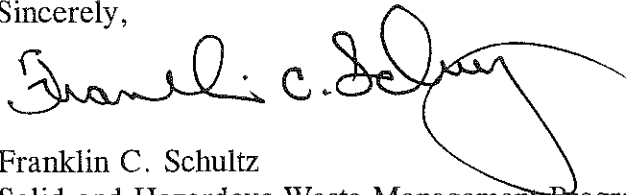
Because of the inherent time delay in constructing a facility in phases, the department may request EOG to submit a revised FPOR submittal or additional information. The department would request a revised FPOR submittal or additional information if in the time between the issuance of the FPOR determination and a phase of the facility construction:

1. the FPOR becomes outdated,
2. new regulations are incorporated by the department, or
3. situations arise where action is necessary to ensure protection of human health and the environment.

If a phase of construction has not been started within 2 years of the date of the determination, EOG will need to submit a letter to the department inquiring whether or not the FPOR and FPOR determination are still appropriate or need to be revised. EOG will need to obtain a favorable determination from the department before beginning that phase of construction.

Should you have any questions regarding this final determination, please contact Patrick Brady at (414) 229-0845.

Sincerely,



Franklin C. Schultz
Solid and Hazardous Waste Management Program Supervisor
Southeast District



Patrick J. Brady
Waste Management Engineer

- c. SED Casefile (W. Ebersohl, P. Brady)
Bureau - SW/3 - HWMS (E. Lynch)
U.S. EPA Region 5 - HRM-7J (Jean Gromnecki)

**BEFORE THE STATE OF WISCONSIN
DEPARTMENT OF NATURAL RESOURCES**

**DETERMINATION
FEASIBILITY AND PLAN OF OPERATION REPORT**

**EOG DISPOSAL, INC.
EPA ID#: WID988580056
FID#: 241384000**

GENERAL FACILITY INFORMATION

Facility Name, Site Operator, and Address:

EOG Disposal, Inc.
Michael Vilione, President
5611 West Hemlock Street
Milwaukee, Wisconsin 53223

Facility Owner:

Michael Vilione, General Partner
or
VK Investments
(address same as above)
and
Megal Development Corporation
P.O. Box 18661
Milwaukee, WI 53218, or
12650 West Lisbon Road
Brookfield, WI 53005

Facility Location:

SW 1/4 of Section 14, Township 8 North, Range 21 East
City of Milwaukee, Milwaukee County, Wisconsin

EOG FPOR Determination - 4/19/96

Facility Contacts:

Michael Vilione, President
Henry Krier, Vice President of Operations
Kandylee Schmidt, Compliance Officer
(address same as above)
phone (414) 353-1156

Consultants:

RMT, Inc.

Douglas A. Wierman, C.P.G., Project Manager
Timothy H. Danzer, C.H.M.M., Project Environmental Scientist
999 Plaza Drive Suite 100
Schaumburg, IL 60173-5407
(708) 995-1500

John A. Cimermancic
20900 Swenson Drive
Milwaukee, WI 53186-4050
(414) 798-9550
WI Professional Engineer No. E-19697

Graef, Anhalt, Schloemer, and Associates, Inc.

Wayne Fassbender
R. Schumacher
345 North 95th Street
Milwaukee, WI 53226
(414) 256-4060

Engineering and Environmental Services

Ronald T. Bannister
P.O. Box 3009
Hickory, NC 28603
(704) 328-2991

Total Storage Capacity: (Since the storage facility will be built and licensed in phases, storage capacity is dependent on the units obtaining licensing for that capacity)

Tank Storage Capacity:

Tanks in Lab Pack Building - Two 5,500 gallon tanks in the proposed lab pack building, (one tank is designated for acid wastes and the other is designated for basic wastes, layout is shown on sheet 11 of 18 in attachment 15 of the FPOR)

Tanks in Tank Farm - Four 12,000 gallon tanks in the proposed tank farm, (layout is shown on sheet 12 of 18 in attachment 15 of the FPOR)

Container Storage Capacity: (Maximum total capacity of 1269 fifty-five gallon containers and 7 twenty cubic yard roll-off containers)

Containers in Existing Building (after Phase 1 licensing) - 468 fifty-five gallon hazardous waste (excluding ignitables) containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on Figure 1 in attachment 18 of the FPOR)

Containers in Existing Building (after Phase 2 licensing) - 720 fifty-five gallon hazardous waste (including ignitables) containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on Figure 1 in attachment 18 of the FPOR)

Containers in Existing Building (after Phase 4 licensing) - 720 fifty-five gallon hazardous waste containers in existing warehouse building, (area is shared with solid waste containers, set layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Containers in Addition to Existing Building - 404 fifty-five gallon non-ignitable hazardous waste containers in the planned addition to the existing warehouse building, (area is shared with solid waste containers, set layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Containers in Lab Pack Building - 145 fifty-five gallon hazardous waste containers in five designated bays in the Lab Pack building, (the bays are designated for acid, basic, flammable, reactive, and oxidizer wastes and are each limited to 29 fifty-five gallon containers, layout is shown on sheet 11 of 18 in attachment 15 of the FPOR)

EOG FPOR Determination - 4/19/96

Lugger Boxes in Lugger Box Storage Building - 6 twenty cubic yard containers in building north of the lab pack building, (layout is shown on sheet 3 of 3 in attachment 15 of the FPOR)

Lugger Box in Existing Building - 1 twenty cubic yard container in the existing warehouse building, (layout is shown on sheet 10 of 18 in attachment 15 of the FPOR)

Approval Limitations:

1. This approval does not extend to the storage of unknown or miscellaneous hazardous wastes. This approval is specifically for storage of wastes identified in your most recent PART A Application (February 15, 1995) and to wastes specifically identified in your Feasibility and Plan of Operation Report (FPOR). Wastes with similar characteristics or of a similar nature (ie. listed for a similar reason or similar toxicological properties) can be stored at the facility by receiving written approval from the department following a plan modification request.
2. EOG may store hazardous waste only in accordance with the requirements of chs. NR 600 through 685, Wisconsin Administrative Code, the FPOR, and the conditions of their approvals. In cases where there is not agreement amongst the FPOR and conditions of their approval, the conditions of the approval shall take precedence.

Facility Description: (Including Construction and Licensing Plans)

EOG is an interim licensed hazardous waste storage facility and a solid waste storage and processing facility which provides limited hazardous waste services and solid waste services to generators of solid and hazardous waste. EOG has operated the facility since September 1, 1990. EOG has sale offices in Illinois, Minnesota, Utah and Texas. EOG currently provides services for over 1,300 clients which include a variety of commercial, institutional, governmental, and industrial companies nationwide that do not generate bulk quantities of waste. The primary function of this facility is the bulking and transfer of hazardous and nonhazardous waste in order to gain access to secondary markets which include recycling and fuel blending.

Because some of the materials EOG handled are considered solid waste by the state of Wisconsin, but not considered solid wastes by the federal government, these materials:

1. would not have been affected by the federal implementation of the Toxicity Characteristic (TC) rule,

EOG FPOR Determination - 4/19/96

2. would only have been become hazardous waste because of the state of Wisconsin's implementation of the TC rule, and
3. would be eligible for an interim hazardous waste storage license from the state even though they did not receive interim status from the federal government.

The state of Wisconsin promulgated the TC rule effective September 1, 1992. On November 11, 1992, which was within three months after the original effective date of the rule that first rendered EOG subject to the requirement to obtain an operating license, EOG submitted an interim license application to the department. For EOG's waste streams to be eligible for an interim license from the state because of the implementation of the TC rule, the waste streams had to satisfy the following parameters:

1. the waste stream was handled by EOG before the promulgation of the state rule, and
2. the material would be considered a solid waste by the state of Wisconsin but would not meet the federal definition of a solid waste, and
3. the waste stream is a hazardous waste only because of the TC waste codes, and would not have been a hazardous waste because of the previous Extraction Procedure (EP) toxicity requirements.

EOG received an interim license for hazardous waste storage on March 15, 1994. As a condition of their interim license EOG was required to submit a FPOR as part of the stepped process in obtaining a hazardous waste operating license. In their FPOR, EOG proposes to eventually obtain a hazardous waste operating license for storage of most types of hazardous waste in:

1. four 12,000 gallon aboveground storage tanks in a new tank farm,
2. two 5,500 gallon aboveground storage tanks in a new lab pack building,
3. seven 20 cubic yard containers with one in the existing warehouse building and the remaining six in a new building just north of the new lab pack building, and
4. 69,795 gallons in fifty-five gallon containers in the existing warehouse building and in a planned addition to the warehouse building and in the lab pack building.

EOG's hazardous waste interim license for storage covers storage of 39,600 gallons in 55-gallon drums for a limited range of hazardous waste types. With the additional items

EOG FPOR Determination - 4/19/96

proposed in their FPOR, the facility would greatly expand their capability to handle a wide variety of hazardous waste.

In EOG's first phase of construction and licensing, EOG plans to retrofit the existing building for hazardous waste container storage by replacing permeable curbing, installing the surveillance and alarm system, and sealing of all floors. At this time, EOG plans to store all the hazardous wastes that they eventually plan to accept with the exception of ignitable hazardous waste. EOG plans to conduct lab pack re-packaging and drum transfer/storage operations in five separate areas with distinct boundaries. In each area, containers will be stored, depacked and lab packed on containment pallets. The contents of containers in the lab packs will not be combined with any of the containers. Figure 1 of attachment 18 of the FPOR contains a layout of the lab pack storage and repackaging areas. The building is approximately 150 feet by 80 feet. Containers will be unloaded at the loading dock on the west end of the north side of the building. The container storage areas at the facility are designed for storing fifty-five gallon drums, but other sizes of containers will be stored.

In EOG's second phase of construction and licensing, EOG plans to finish the retrofitting of the existing building so that they will be able to store and process ignitable hazardous wastes. The retrofitting includes installation of an automatic aqueous film forming foam fire suppression system, construction of fire walls and explosion proofing of all electrical systems. The layout of hazardous waste storage and repacking will be the same as in the first phase.

The third phase of construction will be site preparation in anticipation of construction and operation of the new areas of the proposed facility. A layout of the expanded facility is shown on sheet 2 of 18 in Attachment 15 of the FPOR. Expansion of the facility includes construction of a lab pack and repackaging building, a bulk solids storage building, a tank farm, and associated loading and unloading pads, traffic areas, and other associated facilities.

In EOG's fourth phase of the construction and licensing, EOG will build a lab pack depack building. This building will be 104 feet by 60 feet and provide container storage for 145 containers in designated pods for acidic, basic, flammable, reactive and oxidizer wastes. These individual pods are capable of holding a maximum of 29 containers each in a set layout. The storage pods are 20 feet by 13 feet and provide for adequate containment. The building will also contain 5 lab pack bays each 10 feet by 12 feet. In the lab pack bays, lab pack quantities of waste are repacked into larger quantities for bulking to tanks contained within the lab pack building, or transferred to the process building for processing into fuels, and prepared for ultimate shipment for disposal or recycling. The building will also have bulk storage of waste acid and waste caustic in two designated 5,500 gallon tanks. Each of the tanks is located in a 15 foot by 15.5 foot room which should provide for adequate

EOG FPOR Determination - 4/19/96

containment. The building includes a loading dock. A layout of this building is shown on sheet 11 of 18 in attachment 15 of the FPOR.

Once the hazardous waste storage licensing of the lab pack depack building is completed, EOG will move the lab pack operations from the existing building to the lab pack depack building. With this change, the existing warehouse building hazardous waste storage license will be modified to allow for additional container storage. Container storage in the existing building will then allow for storage of up to 644 hazardous waste containers and 1288 non-hazardous waste containers. However, because of setback requirements for ignitable materials, this area will be restricted to a maximum of 404 ignitable hazardous waste containers and 808 ignitable non-hazardous waste containers. The modified allowable layout of containers in the storage area is shown on sheet 10 of 18 in attachment 15 of the FPOR. The existing building shall provide for adequate secondary containment even with the additional container storage.

The fifth phase of the construction and licensing process is the addition of a tank farm and a roll-off container storage building. The timing of the fourth and fifth phase of construction and licensing could be reversed.

The tank farm is for four 12,000 gallon storage tanks. The roofed area is 40 square foot with a sealed concrete storage pad and should provide for adequate containment. A tanker unloading pad will be constructed next to the tank farm. A layout of the tank farm is shown on sheet 12 of 18 in attachment 15 of the FPOR.

The roll-off container storage building is for storage of 6 twenty cubic yard containers. The building is three-sided with a roof. The concrete floor is approximately 68 feet by 25 feet and should provide adequate containment capacity. A layout of the building is shown on sheet 3 of 3 in attachment 15 of the FPOR.

Also located in the existing warehouse building will be a container processing area. As a container approaches the drum auger operation, a decision is made on the eventual disposition of the contents of the container. Solids unsuitable for fuel blending will be dumped into a 20 cubic yard container. As the 20 cubic yard containers are filled, they will be taken to the roll-off box storage building located just north of the lab pack building. These areas account for all 7 of the roll-off boxes. Solids and liquids suitable for fuel blending will be conveyed to a 2,000 gallon tank for blending. Process vapors will be condensed to collect volatile solvents. This tank and associated pumps and piping is considered to be part of EOG's fuel blending activities and will be regulated under the hazardous waste management recycling exemption under s. NR 625(1)(b), and s. NR 625.07, Wisconsin Administrative Code.

EOG FPOR Determination - 4/19/96

For the sixth phase, EOG will be seeking a license modification for an expansion of the existing warehouse building to provide for additional storage of up to 492 hazardous waste containers and 984 non-hazardous waste containers. Storage in this addition would be limited to non-ignitable waste. The expansion will add 40 feet by 150 feet of additional space. The building should provide for adequate secondary containment for the container storage.

Hazardous wastes that can be stored on site will include the following waste codes: Characteristic hazardous wastes, D001 to D043; Listed solvent wastes, F001 to F005; Electroplating and metal heat treating wastes, F006 to F012; Hazardous wastes from non specific sources, F019 to F028, F032, F034, F035, F037 to F039; Hazardous waste from specific sources, K001 to K011, K013 to K052, K060 to K062, K064 to K066, K069, K071, K073, K083 to K088, K090 to K118, K123 to K126, K131, K132, K136, K141 to K145, K147 to K151; Acute hazardous wastes, P001 to P018, P020 to P024, P026 to P031, P033, P034, P036 to P051, P054, P056 to P060, P062 to P078, P081, P082, P084, P085, P087 to P089, P092 to P099, P101 to P111 to P116, P118 to P123; Commercial chemical products and manufacturing chemical intermediates, U001 to U012, U014 to U039, U041 to U053, U055 to U064, U066 to U103, U105 to U174, U176 to U194, U196, U197, U200 to U223, U225 to U228, U230 to U240, U242 to U244, U246 to U249, U328, U353, U359. Hazardous wastes will only be received and stored in DOT shippable containers. Hazardous wastes will typically be contained in 55 gallon drums.

EOG plans to complete the construction of the facility within 12 to 36 months.

Closure:

The expected life span of the facility is fifty years, so the anticipated closure date for the facility would be 2045. The FPOR includes a detailed closure plan and closure cost estimates. The closure plan covers the container storage areas (including the two areas where 20 cubic yard containers are stored), the tank storage areas, and any tools and associated equipment. The plan includes the removal of the maximum allowable quantity of hazardous waste that can be maintained in the storage units, and decontamination of all surfaces and equipment that may have been in contact with the hazardous waste.

Financial Responsibility:

The total closure cost of the facility is estimated to be \$200,376.00. EOG shall maintain financial responsibility. EOG shall make sure that the proof of financial responsibility for closure is updated as additional units are incorporated into the tank and container hazardous waste storage licenses.

EOG FPOR Determination - 4/19/96

The facility shall maintain a pollution liability insurance policy for sudden environmental releases of \$1,000,000 per occurrence and \$2,000,000 annual aggregate.

FINDINGS OF FACT

The Department finds that:

1. EOG owns and operates a hazardous waste storage facility at 5611 West Hemlock Street, Milwaukee. A notification form was submitted on February 22, 1991, and EOG was identified as a large quantity generator; a treater, storer, disposer; and a hazardous waste fuel generator who is marketing to a burner. A Part A application was submitted on July 18, 1991. Revised Part A applications have been submitted on December 1, 1992, February 24, 1993, and February 15, 1995.
2. The state of Wisconsin promulgated the TCLP rule effective September 1, 1992. On November 11, 1992, EOG submitted an interim license application to the Department. The application included a revised Part A application which included treatment in a 50,000 gallon tank for waste fuel blending. On March 4, 1993, EOG resubmitted their application for an interim license to store hazardous waste. The application included a revised PART A application which covered storage in drums only.
3. On March 15, 1994, the Department issued an interim hazardous waste storage license to EOG. A condition of the license determination was that EOG submit to the department a feasibility and plan of operation report for obtaining a final operating license within 180 days of receiving their interim license.
4. EOG submitted a feasibility and plan of operation report to the department in September of 1994. A plan review fee of \$6,500 for review of the report was submitted on September 22, 1995.
5. The department issued a notice of incompleteness on the report on December 9, 1994.
6. In response to the notice of incompleteness, EOG submitted additional information on February 27, and April 21, 1995.
7. Additional information submitted in connection with the feasibility and plan of operation report includes the following:
 - a. "Application for a New Source Non-Part 70 Construction and Operating Permit, December 1994", received by the department on February 28, 1995.

EOG FPOR Determination - 4/19/96

- b. "Recycling Exemption Application, July 3, 1995", for a hazardous waste recycling exemption from the hazardous waste treatment requirements, received by the department on July 3, 1995.
8. A preliminary determination to conditionally approve the FPOR was issued by the department on October 11, 1995. A public notice was issued and a radio announcement was made on October 11, 1995, regarding the issuance of the preliminary FPOR determination.
9. On November 10, 1995, EOG submitted to the department additional information which had been requested in the preliminary FPOR determination.
10. On February 22, 1996, EOG sent a submittal which requested changes be made to the FPOR with regards to phased construction and licensing.

CONCLUSIONS OF LAW

1. The department has promulgated chs. NR 600 through 685, Wisconsin Administrative Code, establishing minimum requirements for hazardous waste management under the authority of ss. 144.60 and 144.74, Wisconsin Stats.
2. The department has the authority to conditionally approve a feasibility and plan of operation report if the conditions are necessary to comply with chs. NR 600 through 685, Wisconsin Administrative Code, pursuant to s. 144.44(3), Wisconsin Statutes
3. The conditions of approval set forth below are necessary to ensure compliance with chs. NR 600 through 685, Wisconsin Administrative Code.
4. The department has promulgated ch. NR 103, Wisconsin Administrative Code, to preserve and protect the water quality of wetlands.

DETERMINATION

In accordance with s. 144.44(2)(nr), Statutes, the department has determined there is a need for the facility to store hazardous waste as approved. The department has further determined that there is no need for an environmental impact report or environmental impact statement for this facility at this time, pursuant to s. 1.11, Statutes, and ch. NR 150, Wisconsin Administrative Code, and that the existing and proposed facilities conform with wetlands' water quality standards pursuant to ch. NR 103, Wisconsin Administrative Code.

EOG FPOR Determination - 4/19/96

Based on the Findings of Fact and Conclusions of Law, the department determines that EOG's hazardous waste storage facility feasibility and plan of operation report is hereby approved subject to compliance with chs. NR 600 through NR 685, Wisconsin Administrative Code, and the following conditions:

CONDITIONS OF ISSUANCE

EOG is subject to the following conditions:

General Conditions

1. EOG shall comply with all conditions of the license, the provisions of ch. 144, Wisconsin Statutes, all applicable requirements of chs. 600 through 685, Wisconsin Administrative Code, any plan approval and modification thereof and any special order and modification thereof issued by the department, except as otherwise authorized by the department under, ss. NR 600.09 or NR 680.50, Wisconsin Administrative Code.
2. It shall not be a defense for EOG in an enforcement action that it would have been necessary to halt or reduce the licensed activity in order to maintain compliance with the conditions of the license.
3. All renewal applications, and all other reports or other information submitted to the department by EOG shall be signed and certified as specified in ch. NR 680, Wisconsin Administrative Code.
4. EOG shall store hazardous waste in waste management units listed on the most recent Part A permit application form submitted to the Department on February 27, 1995.
5. EOG may not treat, store, or dispose of hazardous waste in a modified or expanded portion of the facility, until EOG has received written approval from the department. Changes in the types of hazardous waste handled or in the processes or equipment used to treat, store, or dispose of hazardous wastes are some examples which may constitute a facility expansion or modification. EOG may not treat, store, or dispose of hazardous waste in any newly constructed, modified or expanded portion of the facility, if the department has determined that the construction requires a plan submittal and subsequent approval, until:
 - a. The requirements of s. NR 680.31, Wisconsin Administrative Code, are met;

EOG FPOR Determination - 4/19/96

- b. EOG has submitted to the department, by certified mail or hand delivery, a construction observation report signed by the licensee and sealed by a registered professional engineer, documenting that the construction is in compliance with the license and any department plan approval; and
 - c. The department has inspected the newly constructed, modified, or expanded portion of the facility and finds it in compliance with the license and any department plan approval; or the department has notified EOG in writing that the inspection requirement under s. NR 680.42(5)(c), Wisconsin Administrative Code, is waived.
- 6. EOG shall at all times maintain in good working order and operate efficiently all facilities and systems of treatment or control and related appurtenances which are installed or used to achieve compliance with the terms and conditions of the license. Proper operation and maintenance includes, but is not limited to, effective performance based on designed facility removals, adequate funding, effective management, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures.
- 7. EOG shall, upon request of any officer or employee of the department, allow department personnel, at reasonable times and with notice no later than upon arrival, to:
 - a. Enter licensee's premises where a regulated facility or activity is located or conducted or where hazardous waste records are kept;
 - b. Have access to, and copy at reasonable times, records or labels that are being kept;
 - c. Inspect at reasonable times any facility's equipment, including monitoring equipment, or operations regulated under the license; and
 - d. Sample or monitor any substance or parameters at any location where a regulated facility or activity is located or conducted, in compliance with the requirements of s. 144.69, Wisconsin Statutes.
- 8. In the event of noncompliance with the license, EOG shall take all necessary steps to minimize discharges to the environment, and shall take all necessary steps to minimize any adverse impacts on human health or the environment.

EOG FPOR Determination - 4/19/96

9. EOG shall furnish the information needed to determine whether cause exists to modify, revoke, or to determine compliance with, the license. The licensee shall also furnish, upon request, copies of records required by the license. The department may request EOG to submit a revised FPOR submittal or additional information, if conditions arise that compel the department to take this action.
10. When EOG becomes aware that there was a failure to disclose relevant facts in any reports, plans, or other documents submitted, or that incorrect information was submitted, EOG shall promptly submit such facts or correct information to the department.
11. The license, if issued, does not convey any property rights of any sort, or any exclusive privilege.
12. EOG shall submit required documentation and take any action which is necessary to ensure protection of human health and the environment. The department may require such documentation or action after inspecting the facility or reviewing any submittals, reports, or plans.
13. The EOG license, if issued, may be modified or revoked for the reasons listed in ss. NR 680.07 and NR 680.43, Wisconsin Administrative Code. The submittal of a request by EOG for a license modification or termination, or a notification of planned changes or anticipated noncompliance, does not stay the effectiveness of any licensing condition.
14. EOG shall analyze each waste stream in accordance with the waste analysis procedures set forth in the waste analysis plan.
15. EOG shall comply with the following:
 - a. Identification number requirements in s. NR 630.11, Wisconsin Administrative Code;
 - b. General waste analysis requirements in s. NR 630.12, Wisconsin Administrative Code;
 - c. Waste analysis requirements in ss. NR 630.13(1), 640.06(3), 645.06(3)(c), and 645.15, Wisconsin Administrative Code;
 - d. Generation and removal requirements in s. NR 630.20(4), Wisconsin Administrative Code;

EOG FPOR Determination - 4/19/96

- e. Closure of noncomplying portions requirements in s. NR 630.20(5), Wisconsin Administrative Code;
 - f. Security requirements in s. NR 630.14, Wisconsin Administrative Code;
 - g. Contingency plan and emergency procedures requirements in ss. NR 630.21 and 630.22, Wisconsin Administrative Code;
 - h. Personnel training requirements in s. NR 630.16, Wisconsin Administrative Code;
 - i. Manifest, recordkeeping, and reporting requirements in s. NR 630.30, 630.31, and 630.40, Wisconsin Administrative Code;
 - j. General inspection requirements in ss. NR 630.15, 640.12 and 645.11, Wisconsin Administrative Code;
 - k. General storage standards in ss. NR 645.06, 645.07, 645.08, 645.09, 645.10, 645.12, and 645.17, Wisconsin Administrative Code;
 - l. Requirements for ignitable, reactive, or incompatible wastes in ss. NR 640.14, 640.15, 645.06(3), 645.13, and 645.14, Wisconsin Administrative Code.
- 16. EOG shall comply with the closure requirements in ss. NR 640.16, NR 645.17 and NR 670.10, Wisconsin Administrative Code.
 - 17. EOG shall maintain proof of financial responsibility for closure and liability coverage pursuant to ss. NR 685.07 and 685.08, Wisconsin Administrative Code. (EOG shall make sure that the proof of financial responsibility for closure is updated as additional units are incorporated into the tank and container hazardous waste storage licenses.)
 - 18. EOG shall comply with all applicable Air Management rules (e.g., Chapter NR 445, Wisconsin Administrative Code) and directives, including, but not limited to, obtaining all necessary permits to operate in accordance with these regulations.
 - 19. EOG shall comply with air emission standards for process vents, ch. NR 631, Wisconsin Administrative Code, and equipment leaks, ch. NR 632, Wisconsin Administrative Code. The department will not issue a license, a license modification, or a recycling exemption to EOG for the applicable units, until EOG shows compliance with these requirements.

EOG FPOR Determination - 4/19/96

Specific Conditions

20. EOG shall submit to the department within 15 days of the date of this document a new revised table of contents to reflect the changes in the organization of the FPOR presented in the February 6, 1996, memo to Kandylee Schmidt and the cover letter to this determination. The revised table of contents shall be part of the FPOR that is sent out to the local library and U.S. EPA, as required by Condition #22.
21. Whenever any additions, revisions and/or modifications are submitted regarding the FPOR, EOG shall submit the documents under the certification of a state of Wisconsin P.E., as required by s. NR 680.05(1)(a)1., Wisconsin Administrative Code. EOG shall also have each page marked with a page number and the date of the submittal, and provide an explanation as to how the document is to be incorporated into the FPOR.
22. EOG shall send a copy of the complete FPOR to each affected municipality's local library and U.S. EPA within 15 days of this determination's issuance. The EPA copy shall be mailed to Ms. Harriet Croak, U.S. EPA Region 5, 5HRP-8J, 77 West Jackson, Chicago, Illinois 60604. EOG shall submit to the department verification that copies were sent within 15 days.
23. EOG shall construct the proposed facility in accordance with the approved FPOR and this conditional approval.
24. EOG shall not operate the proposed tank and container storage unit until the department has approved the required construction documentation for the unit required and all conditions of approval applicable to the unit are met.
25. During the construction of the facility, EOG shall submit a quarterly report to the department to update the department on construction at the facility. EOG shall submit this report starting on May 1, 1996 and continuing every third month until construction at the site is completed.
26. EOG shall notify the Department at least 30 days prior to initiating a phase of construction at the site. If any of the phases of construction have not been started within 2 years of the date of this determination, EOG shall submit a letter to the department inquiring whether or not the FPOR and FPOR determination are still appropriate or need to be revised. EOG shall not begin that phase of construction until they receive a favorable determination from the department.

EOG FPOR Determination - 4/19/96

27. EOG shall submit a signed final operating license application for the initial hazardous waste container storage in the existing building within 30 days of the date of this determination, and for the initial hazardous waste tank storage operating license for the tank farm or the lab pack building tanks (whichever is completed first), within the 90 days prior to the completion of construction of the unit. EOG shall submit these license applications in accordance with s. NR 680.31, Wisconsin Administrative Code. The following items shall accompany application submittals:

- a. liability financial responsibility documentation,
- b. closure cost financial responsibility documentation for each phase, and
- c. the appropriate fee for a hazardous waste storage facility license. Refer to s. NR 680.45, Table 12, Fee Schedule, Wisconsin Administrative Code.

EOG shall submit license modification requests for each of the following: container storage for ignitables in the existing building; the lab pack depack building container storage; container storage in the existing building when lab pack operations are moved to the lab pack depack building, the tank farm or the lab pack depack building tanks (whichever is completed last), and the roll-off container storage areas; and container storage in the addition to the existing building. These modification requests shall be submitted within the 90 days prior to the completion of construction of the unit or units.

28. EOG shall submit to the department a construction documentation report within 30 days of completion of each phase of construction, and shall have an independent professional engineer, registered in the State of Wisconsin, document construction of the phase and certify whether construction of the phase occurred in substantial conformance with the FPOR, and in accordance with s. NR 680.08, Wisconsin Administrative Code.
29. For each phase of construction, EOG shall notify the department of any significant changes from the proposed construction. For each phase of construction, EOG shall provide as-built drawings if there are any discrepancies between the proposed construction and the actual construction.
30. The Department has authority to conduct construction inspection(s) under ss. NR 680.09(2), Wisconsin Administrative Code, for construction at the site. EOG shall pay the department construction inspection fees in accordance with s. NR 680.09(3)(b), Wisconsin Administrative Code, with each phase of construction documentation submitted to the department.

EOG FPOR Determination - 4/19/96

31. These licenses are subject to annual license operating fees listed in Table XII, s. NR 680.45, Wisconsin Administrative Code, for container and tank storage. EOG shall maintain compliance with the annual licensing fees.
32. For any additional activity that the facility adds to their hazardous waste handling operation, EOG shall inform the department before such an operation begins to allow the department to determine whether the activity would be regulated.
33. Within 24 hours of the hazardous waste arriving at the EOG facility, EOG shall process or move into a container or tank storage area all hazardous waste received from off-site.
34. EOG shall not store trucks or tankers carrying hazardous waste on the public road adjacent to their property.
35. EOG shall indicate on the hazardous waste manifest, prepared for sending waste off their site, all waste codes applicable to the hazardous waste prior to the commingling, recontainerization, or bulking of hazardous waste on-site.
36. All secondary containment systems shall be operated to prevent any migration of wastes or accumulated liquid out of the system into the soil, groundwater or surface water at any time, pursuant to ss. NR 640.13 and NR 645.09, Wisconsin Administrative Code. The secondary containment systems shall be capable of detecting and collecting releases and accumulated liquids until the collected material is removed.
37. All secondary containment structures shall be maintained to be liquid tight and free of cracks and gaps. Surface water run-on and run-off shall be prevented and managed pursuant to s. NR 630.20(3), Wisconsin Administrative Code.
38. All uncontained wastes and accumulated liquids (e.g., precipitation, wash waters) located within any secondary containment diking shall be cleared from the diked area daily and managed as a hazardous or solid waste as appropriate in accordance with chs. NR 600 to 685, or chs. NR 500 through 590, Wisconsin Administrative Code, and the FPOR.
39. Since the containment area for containers and the blending tank in the original building will not strictly be used for storage and containment, EOG shall not store other materials, excluding the drum auger operation and associated equipment, in this area that are incompatible with the waste streams or that will significantly affect the containment capacity.

EOG FPOR Determination - 4/19/96

40. EOG shall replace any permeable curbing in the existing building with concrete curbing.
41. All concrete surfaced secondary containment structures shall be chemically resistant material (e.g., epoxy mastic sealant). *by when?*
42. Containers holding a hazardous waste which is incompatible with other materials stored nearby shall be kept separate from the other materials or protected from them by means of a dike, berm, wall, or other barrier. s. NR 640.15, Wisconsin Administrative Code
43. Spills reporting: EOG shall immediately report all spills and discharges of hazardous waste outside of hazardous waste storage secondary containment structures and all spills of 10 gallons or greater of hazardous waste inside of the designed hazardous waste secondary containment structures at its facility, and implement any necessary action in accordance with the requirements of ch. NR 158 and s. NR 630.22(2)(c), Wisconsin Administrative code. Releases of hazardous waste or other hazardous substances in volumes of less than 10 gallons within the secondary containment structure of a designated hazardous waste storage area shall be recorded and reported to the Department on a quarterly basis. This report shall include the type and quantity of waste spilled, the location of the release, the source of the release, what actions were taken to cleanup the release and what actions will be taken to prevent a release from recurring. If no spills or discharges occur, then EOG shall send a letter to the department stating there has been none.
44. Response to leaks or spills. In the event of a leak or a spill from a tank, or if a tank or processing equipment becomes unfit for continued use, EOG shall remove the equipment from service immediately and complete the following actions:
- Take appropriate action to clean-up any release of waste immediately after removing the equipment from service.
 - Remove all waste from the equipment or secondary containment unit within 24 hours of the detection of the leak or spill to prevent further releases and to allow inspection and repair of the unit.
 - Determine cause of the release.
 - Make all necessary repairs to fully restore the integrity of the unit before returning it to service.

EOG FPOR Determination - 4/19/96

- e. All wastes resulting from the clean-up of a spill or leak shall be managed as a hazardous waste.
 - f. EOG shall report the spill or leak to the Department's Southeast District Headquarters within 24 hours of its discovery.
45. EOG shall notify the Division of Emergency Government and comply with the requirements of s. NR 630.22(2) and ch. NR 158, Wisconsin Administrative Code and 144.76, Wisconsin Statutes, if a discharge of hazardous waste or hazardous substance, or a fire or explosion occurs at the licensed facility.
46. EOG shall report to the Department any noncompliance which may endanger human health or the environment. The information which is required to be included in a written report under this paragraph shall be provided orally to the appropriate district office of the Department within 24 hours from the time EOG becomes aware of the circumstances. A written report shall be submitted within 5 days of the time EOG becomes aware of the circumstances. The Department may allow up to 15 days to submit a written report if an extension is requested by the licensee. The written report shall contain:
- a. Name, address, and telephone number of the owner or operator.
 - b. Name, address, and telephone number of the facility.
 - c. A description of the noncompliance and the period of noncompliance, including exact date and time, and if the noncompliance has not been corrected, the anticipated time the noncompliance is expected to continue.
 - d. Name and quantity of material involved.
 - e. The extent of injuries, if any.
 - f. An assessment of actual or potential hazards to the environment and human health outside the facility, where this is applicable, including information concerning the release of any substance which may cause contamination of a drinking water supply.
 - g. Estimated quantity and disposition of recovered material that resulted from the incident.

EOG FPOR Determination - 4/19/96

- h. The known or suspected causes of the noncompliance and statement describing the measures taken to investigate the noncompliance to determine its cause.
 - i. Steps taken or planned, to reduce or eliminate and prevent reoccurrence of the noncompliance.
47. Waste minimization: EOG shall certify annually (by February 1 of each year) that it has a program in place to reduce the volume and toxicity of hazardous waste it generates to the degree determined by EOG to be economically practicable, and that the proposed method of treatment, storage or disposal is that practicable method currently available to EOG which minimizes the present and future threat to human health and the environment.

Specific Conditions - Waste Analysis

48. EOG shall monitor and analyze the hazardous waste transported to the storage units in accordance with the methods and procedures described in the waste analysis plan in the FPOR, as revised with the November 10, 1996, and February 22, 1996, submittals. The waste analysis plan includes waste pre-acceptance and incoming loads procedures, post-treatment evaluation analyses protocol, inspection and sampling methodology, analytical techniques, process operations, and quality assurance/quality control (QA/QC) program elements.
49. Before receiving waste on site, EOG shall have obtained a completed waste identification form for each waste stream of each generator. The waste identification form will at a minimum contain; waste description, general characteristics, RCRA information, viscosity, total suspended solids, pH, BTU's, flash point, halogens hazardous characteristics and other components, chemical composition and metals information.
50. EOG shall sample all incoming waste streams. EOG shall sample a minimum of ten percent of the containers of each generator's incoming waste stream. EOG will sample the incoming container wastes for compatibility, BTU's per pound, chloride, water, specific gravity and pH. EOG shall take a composite sample of each incoming bulk solid load and a sample of each incoming bulk liquid load for BTU's per pound, chloride, water, specific gravity and pH. EOG shall make a comparison against the prequalification and/or historical receipts of the waste to ensure that there is no significant discrepancies between the load and what is expected. EOG shall have the samples from incoming waste streams analyzed by a laboratory certified or registered by the state of Wisconsin for physical description, BTU's per pound, chloride, water,

EOG FPOR Determination - 4/19/96

specific gravity and pH for the methodologies described in the waste characterization section of the waste analysis plan in the FPOR, or an equivalent technique.

51. EOG shall follow the waste acceptance and rejection procedures and sampling procedures outlined in their waste analysis plan in the FPOR.
52. Before combining the contents of any containers, EOG shall perform a compatibility test on the wastes to be combined.
53. Before EOG combines the contents of the containers within the lab pack containers, EOG shall perform a compatibility test of the contents to be combined.
54. Prior to blending or storage, the compatibility of the waste streams to be commingled shall be evaluated by a direct mixture of samples of the two (or more) waste streams. If there is reason to believe that the waste to be blended is incompatible with the most recently blended waste and the equipment has not been decontaminated, a compatibility test will be conducted on samples of the waste, and the previously blended waste.
55. EOG shall sign off on manifests of wastes received onsite within 24 hours of receipt of the wastes.

Specific Conditions - Tanks

56. EOG shall not place hazardous wastes in a tank if the wastes could cause the tank, its ancillary equipment, or the containment structure to rupture, leak, corrode, or otherwise fail.
57. EOG shall inspect the following components of each tank once each operating day;
 - a. Overfill control equipment (e.g., waste feed cut-off).
 - b. The area immediately surrounding the tank, to detect erosion or signs of releases of hazardous waste.
58. EOG shall provide a tank integrity assessment report prepared in conformity with s. NR 645.07(1), Wisconsin Administrative Code, to detect corrosion or erosion, cracks, or leaks of all hazardous waste tanks and shall submit a report to the Department by April 1 each year.

EOG FPOR Determination - 4/19/96

59. EOG shall meet the requirements for a secondary containment system in s. NR 645.09, Wisconsin Administrative Code, including but not limited to a leak detection system that is designed and operated to detect the failure of the hazardous waste storage tanks or the secondary containment structure pursuant to s. NR 645.09(5)(c), Wisconsin Administrative Code.
60. EOG shall not place incompatible, ignitable, or reactive wastes and materials in a tank, unless the procedures specified in ss. NR 630.17(2) and 645.13(1), Wisconsin Administrative Code, are followed.
61. EOG shall not place hazardous waste in the tank when a tank has not been decontaminated and had previously held an incompatible waste or material, unless the requirements of s. NR 645.14, Wisconsin Administrative Code, are met.

Specific Conditions - Containers

62. EOG shall comply with the storage requirements of ch. NR 640, Wisconsin Administrative Code.
63. All hazardous waste storage shall be confined to the designated storage areas.
64. Adequate aisle space in the container storage areas must be maintained to allow unobstructed movement of personnel, fire protection equipment and decontamination equipment in event of an emergency.
65. Hazardous waste shall be stored only in containers in accordance with the FPOR, with respect to what the facility's license allows at that phase of construction.
66. All containers used for storing hazardous waste shall be inspected at least weekly for evidence of leakage, corrosion, or deterioration of the containers or the secondary containment structures. Sufficient aisle space must be maintained to view all containers and their labels.
67. Any spilled, leaked, or discharged hazardous waste shall be expeditiously removed from the collection area so as to prevent overflow of the secondary containment system or prolonged exposure of the containment system or the containers to the hazardous waste.
68. The identity and location of all stored hazardous waste shall be known throughout the entire storage period.

EOG FPOR Determination - 4/19/96

69. Waste shall be stored in containers in such a manner that no discharge of hazardous waste occurs.
70. Incompatible wastes or materials shall not be placed in the same container, including unwashed containers, unless they comply with s. NR 630.17(2), Wisconsin Administrative Code.
71. Containers holding hazardous waste shall always be closed during storage, except when adding or removing wastes. Containers holding hazardous waste shall not be opened, handled, or stored in a manner which causes the container to rupture or leak.
72. Containers holding ignitable waste shall not be stored until EOG has a license to store containers of ignitable waste, and then the containers storing ignitable waste shall be located at a minimum of 50 feet from the facility's property line.
73. Storage containers holding a hazardous waste which is incompatible with any waste or other materials stored nearby in other containers, waste piles, open tanks or surface impoundments shall be separated from other wastes or materials or protected from them by means of a dike, berm, wall or other device.
74. If a container is not in good condition or if the contents of a storage container begin to leak, the hazardous waste in the container shall be recontainerized into a storage container in good condition.
75. The containers shall be made or lined with materials which will not react with, or are otherwise incompatible with, the hazardous waste to be stored so that the ability of the container to contain the waste is not impaired.
76. After the modifications of the container storage license are approved for container storage in the Lab Pack Depack building and modification of container storage in the existing building, EOG shall store containers in the existing warehouse building in the configuration presented on Sheet 9 of 18, in attachment 15 of the FPOR. When the addition to the existing warehouse building is completed, containers shall be stored in the existing warehouse building and the addition in the configuration presented on Sheet 10 of 18, Attachment 15 of the FPOR. Containers shall be stored in the lab pack building in the configuration presented on Sheet 11 of 18, Attachment 15 of the FPOR.
77. The minimum container storage secondary containment shall be maintained as required by s. NR 640.13, Wisconsin Administrative Code. Materials and objects, other than those that are part of the hazardous waste licenses and recycling exemption, shall not

EOG FPOR Determination - 4/19/96

be stored in the container storage units secondary containment areas, if their volume will adversely impact the container storage containment capacity.

78. Containers used to store hazardous waste shall be structurally sound, U.S. DOT approved containers.
79. EOG shall store and repack containers whether of 5, 10, 20, 30, or 55 gallon capacity in a safe manner. In any area which is designed for storing 4 fifty-five gallon containers, EOG shall not store more than 5 thirty gallon containers, 6 twenty gallon containers, 9 ten gallon containers, or 12 five gallon containers. For containers of sizes other than those listed here, EOG shall limit storage in a 4 fifty-five gallon container area, to within the range of the above explicit container limits. Also, when storing containers of various sizes in a 4 fifty-five gallon container area, EOG shall limit container storage in the 4 fifty-five gallon container area by taking into consideration the above explicit limits for container size with respect to the area.

Specific Conditions - Container Storage Before EOG Receives a License for Container Storage in the Lab Pack Depack Building

80. EOG shall not store any ignitable wastes, until they complete the retrofit of the existing storage building and obtain a container storage license modification to do so.
81. EOG shall store and lab pack hazardous waste containers on spill containment pallets only.
82. EOG shall have placards clearly identifying separate areas for hazard class 9, reactive, corrosive bases, poisons, and corrosive acids.
83. When containers are combined with other containers in the lab packs, the containers shall not be opened. The contents of containers in the lab packs shall not be combined with any of the containers.
84. EOG shall limit hazardous waste container storage to a maximum of 468 fifty-five gallon containers. EOG shall not store or repack containers in excess of the maximums described in Attachment 18 of the FPOR. EOG shall store containers in the configuration presented in Figure 1 of Attachment 18 of the FPOR.
85. If a spill occurs in a containment pallet or in on an area of the containment surface, EOG shall decontaminate the containment pallet or area of the containment surface in accordance with the FPOR before storing another type of waste on the containment pallet or area of the containment surface.

EOG FPOR Determination - 4/19/96

Specific Conditions - Lugger Box Container Storage

86. EOG shall provide adequate containment capacity for the lugger box storage as required by s. NR 640.13, Wisconsin Administrative Code.
87. EOG shall only store hazardous waste in lugger boxes with gaskets around the openings on the sides.
88. EOG shall keep the lugger boxes covered except for when filling.
89. EOG shall provide adequate access to inspect the lugger boxes.
90. EOG shall only store lugger boxes in the arrangements as they are presented in Plan Sheet #3 of 3, as to be revised with adequate aisle space, and Plan Sheet #10 of 18 and Plan Sheet #2 of 3, all in Attachment 15 of the FPOR.

Specific Conditions - Fuel Blending Activities

91. Before EOG begins start up of their hazardous waste fuel blending activities (the fuel blending tank and associated equipment), EOG shall obtain a recycling exemption from the department for the fuel blending activities, under s. NR 625(1)(b), and s. NR 625.07, Wisconsin Administrative Code, or obtain a hazardous waste treatment license specifically for the fuel blending activities.
92. EOG shall remain in compliance with any fuel blending recycling exemption requirements for their facility.

NOTICE OF APPEAL RIGHTS

If you believe you have a right to challenge this decision, you should know that Wisconsin Statutes and administrative rules establish time periods within which requests to review Department decisions must be filed.


For judicial review of a decision pursuant to ss. 227.52 and 227.53, Statutes, you have 30 days after the decision is mailed or otherwise served by the Department to file your petition with the appropriate circuit court and serve the petition on the Department. Such a petition for judicial review shall name the Department of Natural Resources as the respondent.

EOG FPOR Determination - 4/19/96


This notice is provided pursuant to s. 227.48(2), Statutes

Dated: 4-19-96


Department of Natural Resources
For the Secretary



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Southeast District



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